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Letter dated 24 April 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 23 April 2001 from Mr. Tariq Aziz, Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq. The letter concerns the constant aggression to which Iraq is being subjected by numerous parties, the most recent case being the Iranian aggression of 18 April 2001, and the negative attitude adopted by the Security Council with regard to its commitment to safeguarding the sovereignty, territorial integrity and political independence of Iraq.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Mohammed **Al-Douri**
Ambassador
Permanent Representative

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Annex to the letter dated 24 April 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

After the events of 2 August 1990, the Security Council imposed on Iraq the series of coercive measures that it inaugurated by its resolution 661 (1990) of 6 August 1990 imposing a comprehensive embargo on all military and civilian trade between Iraq and other countries.

This resolution was followed by others that strengthened the comprehensive embargo, and these resolutions and the measures taken for their implementation deprived Iraq, inter alia, of the right to import weapons for its self-defence.

There then came the 30-nation aggression against Iraq that began on the night of 16/17 January 1991 under the guise of implementing Security Council resolution 678 (1990), and the entire territory of Iraq became a target for aggression in which weapons of all types were used against all the country's vital amenities. One hundred and twenty thousand tons of bombs were dropped on Iraq, or the equivalent of eight to ten atomic bombs of the type used at Hiroshima. This aggression caused the destruction of Iraq's vital infrastructure and, of course, the aggression also targeted sites maintained by the Iraqi army and its defensive equipment and weapons.

Not content with the comprehensive embargo and the 30-nation aggression, the United States proceeded, after the departure of Iraqi forces from Kuwait, to have the Security Council adopt its resolution 687 (1991), which was used as a screen for the destruction of many of Iraq's scientific and military installations on the pretext of destroying weapons of mass destruction. By paragraphs 24 to 27 of the resolution, the Council tightened and set forth in detail the terms of the arms embargo that had been imposed on Iraq. These measures were further strengthened by resolution 700 (1991), pursuant to which the arms embargo would extend even to uniforms and tents for the use of troops.

In order to distance itself from the charge of having stripped an independent State of the means necessary for its legitimate self-defence, the Security Council incorporated into its resolutions, commencing with resolution 686 (1991), a paragraph in which it affirmed the commitment of all Member States to the sovereignty, territorial integrity and political independence of Iraq.

In paragraph 14 of resolution 687 (1991), the Council notes that the actions to be taken by Iraq with respect to weapons of mass destruction and missiles "represent steps towards the goal of establishing in the Middle East a zone free from weapons of mass destruction and all missiles for their delivery". In the statement by the President of the Security Council of 28 June 1991 (S/22746), it is stated that:

> "The members of the Council reiterate their views expressed in resolution 687 (1991) of the threat that all weapons of mass destruction pose to peace and security in the Middle East and of the need to work towards the establishment in the Middle East of a zone free of such weapons."

Events since 1991 have conclusively demonstrated that the Security Council has not met its commitments with respect to the protection of the sovereignty, territorial integrity and political independence of Iraq or with respect to the implementation of paragraph 14 of resolution 687 (1991).

Immediately following the failure of the 30-nation aggression to break the will of the Iraqis and impair their national unity, the United States and the United Kingdom proceeded to incite acts of armed rebellion against the Government of Iraq and to supply armed terrorist groups with money and weapons in order to undermine the country's stability and jeopardize its national unity. At the same time, they proceeded, by their own unilateral decision, to impose the two no-flight zones; first in northern Iraq, on 7 April 1991, and then in southern Iraq, on 27 August 1992. Later, on 3 September 1996, they extended the no-flight zone in southern Iraq from the 32nd parallel to the 33rd parallel. It has been clear from the outset that there has been no authorization from the Security Council for the imposition of the no-flight zones. The imposition of these zones and the use of force in them therefore represents a breach of the principle of non-use of force under the Charter of the United Nations and a violation of the sovereignty, independence and territorial integrity of Iraq. Since the no-flight zones were imposed, more than 50,000 violations have been committed by United States and British aircraft, and they have included the bombing and destruction of military and civilian sites as well as the killing of 340 people and the wounding of more than 1,000.

The United States and British acts of aggression against Iraq in the no-flight zones have also been accompanied by military aggression in which missiles and aircraft are used on occasions chosen by the United States for purposes relating to its policy.

On 8 March 1991 United States forces attacked the third air defence sector with cruise missiles.

On 17 January 1993 United States forces attacked Al-Nida' Establishment, a civilian installation at that time subject to the ongoing monitoring regime, causing large-scale physical damage and human losses. The Rashid Hotel in Baghdad was also targeted, and a woman hotel employee was killed and many staff and guests were injured.

On 27 June 1993 United States forces attacked the headquarters of the intelligence services in Baghdad with cruise missiles, and some of the missiles fell on neighbouring homes and killed a number of civilians, including the Iraqi artist Layla al-Attar.

On 3 and 4 September 1996 United States forces again engaged in military aggression, using cruise missiles against military and civilian sites in various parts of Iraq, including Baghdad.

From 16 to 19 December 1998 the United States and the United Kingdom conducted an intensive missile attack on military and civilian sites in all parts of Iraq, and the United States and the United Kingdom resumed their aggression with the intensive bombing of civilian localities in the outskirts of Baghdad on the evening of 16 February 2001.

The United States and the United Kingdom are still pursuing their ongoing military aggression against Iraq with the support of the governments of Saudi Arabia, Kuwait and Turkey, which are providing facilities and support for the United States and British aircraft in their daily aggression against Iraq. The United States is still proclaiming its contempt for the resolutions of the Security Council calling for respect for the independence, sovereignty and territorial integrity of Iraq. It is still announcing its intention to change the political regime in Iraq, and it has enacted a

domestic law for that purpose, namely the Iraq Liberation Act of 1998. Faced with all of this, the Security Council has nevertheless taken no action to give effect to its call to States to respect Iraq's sovereignty, territorial integrity and political independence.

The Turkish armed forces, for their part, are also continuing their aggression against Iraq's territory. Turkish ground and air forces conduct periodic and systematic incursions into Iraqi territory in the north during which they bomb towns and villages, kill civilians and destroy property. There were thus 76 incursions into northern Iraq by the Turkish armed forces between 1991 and 2001, and the strength of the forces participating in these incursions has varied between 51,000 and 110,000 troops a year, supported by armoured personnel carriers and tanks as well as by fighter aircraft and helicopters. It is derisive for Turkey to justify its repeated incursions into Iraqi territory in the north by invoking the need to pursue outlaws who take refuge in northern Iraq when Turkey itself participated in creating the anomalous situation that obtains in northern Iraq through its cooperation with the United States and the United Kingdom in creating what they have called a "safe haven" for the Kurds. Iraq keeps the Secretary-General and the President of the Security Council informed on a regular basis of the particulars of the constant Turkish acts of aggression against its territory in the north, and it did so most recently in a letter dated 8 January 2001 from its Minister for Foreign Affairs addressed to the Secretary-General and to the President of the Security Council (S/2001/31, annex). The Security Council has, however, taken no action to safeguard Iraq's sovereignty, territorial integrity and political independence.

Iran's aggression against Iraq has been ongoing since 1991. Following the 30-nation aggression, Iran sent large numbers of infiltrators into Iraq's southern governorates in order to foment disorder, cause destruction and impair the unity of Iraq's territory. Iran has maintained its constant aggression against Iraq and continues to shelter, finance and arm terrorist groups serving its schemes to undermine Iraq's stability.

Acts of aggression committed by Iran against Iraq include: an air raid on the towns of Jalula' and Khalis on 25 May 1993; a mortar attack on Khalis on 28 November 1993; a mortar attack on the Abu Ghurayb depots on 2 April 1994; a mortar attack on Khalis on 18 October 1994; an attack on Khalis using three Scud missiles on 6 November 1994; an air raid on Khalis on 9 November 1994; the detonation of a car bomb in Baghdad on 26 November 1995; an air raid on Kut and Jalula' on 29 September 1997; a mortar attack on Amarah on 26 May 1999; an air raid on Jalula' on 14 March 2000; a helicopter attack on the central sector on 24 January 2000; a mortar attack on the Ali al-Gharbi area on 2 September 2000; a heavy artillery bombardment of Iraqi border positions in the Diyala area on 10 February 2001; and the firing of 10 120-mm shells at Iraqi positions in the central sector on 10 February 2001.

The most recent large-scale act of aggression took place between 0400 and 0700 hours on 18 April 2001 when the Iranian armed forces fired 64 Scud surface-to-surface missiles at Iraqi towns and villages in the Basrah, Maysan, Wasit and Diyala governorates, killing many citizens, leaving some dozens of wounded and causing destruction and serious damage in many civilian neighbourhoods and to civilian installations.

These events and incidents confirm that the Security Council has not fulfilled its undertakings with respect to Iraq's sovereignty, independence and territorial integrity or the establishment in the Middle East of a zone free of weapons of mass destruction and the means for their delivery. On the contrary, the Council's other actions in arbitrarily destroying Iraq's power and infrastructure and preventing Iraq from building up its defensive abilities at a time when the region is experiencing a frenzied arms race have all encouraged regional and non-regional parties to persist in committing armed aggression against Iraq.

This anomalous situation and the use of double standards and selectivity in the way the Security Council conducts itself raise a legitimate question, namely: where is this Security Council policy leading us? It has damaged the United Nations, has jeopardized regional peace and security and has established precedents for the Council's silence with regard to acts of aggression and the violation of the Charter of the United Nations. The primary victim of this policy is Iraq, which is being subjected to daily and constant aggression while arbitrary measures are being maintained against it that deny it the full exercise of its legitimate right of self-defence under Article 51 of the Charter. Does this mean that the Security Council has renounced its commitment to ensure respect for Iraq's sovereignty, territorial integrity and political independence? We ask you, and we ask the Security Council, for a clear and unequivocal answer. Does this then mean that Iraq has the right to use the same means with regard to outlaws that use the countries bordering on Iraq as bases from which to engage in acts of sabotage inside Iraq?

We hope that our inquiry will receive the attention that befits the seriousness of its subject matter. As we await your response to our legitimate concerns, we affirm that the steadfast people of Iraq, using the means available and acting at the right time and in the appropriate circumstances, will continue to resist acts of aggression in defence of its territory and security as well as of the principles of international law and the Charter of the United Nations.

(Signed) Tariq **Aziz**
Deputy Prime Minister
Acting Minister for Foreign Affairs